

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JACOB NADAV,

Plaintiff,

v.

NEVADA PROPERTY 1 LLC d/b/a
COSMOPOLITAN HOTEL; a domestic
limited liability company; DOE
EMPLOYEES OF THE COSMOPOLITAN
HOTEL; DOES 1-25, inclusive; ROE
CORPORATION 1-25, inclusive,

Defendants.

Case No. 2:23-cv-01116-RFB-EJY

ORDER

Pending before the Court is the parties' Stipulation and Order to Protect Confidential Materials and Information (ECF No. 16). The Stipulation fails to address (1) the unauthorized or inadvertent disclosure of work product, attorney client privilege information, or other confidential materials, and (2) procedures for how the parties will handle any such disclosures. Further, paragraphs 10 and 11 of the Stipulation evidences the presumption that confidential information may be submitted under seal. The parties "may not simply rely on the Stipulated Protective Order ... to justify sealing documents filed in the record under seal." *Heath v. Tristar Products, Inc.*, Case No. 2:17-cv-02869-GMN-PAL, 2019 WL 12311995, at *1 (D. Nev. Apr. 17, 2019) *citing Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1133 (9th Cir. 2003) (reliance on a blanket protective order, without more, does not make a showing of good cause for sealing documents).

Accordingly, IT IS HEREBY ORDERED that the Stipulation and Order to Protect Confidential Materials and Information (ECF No. 16) is DENIED without prejudice.

1 IT IS FURTHER ORDERED that the parties **must** submit a revised stipulated protective
2 order correcting the deficiencies identified above. References to filing sealed documents must
3 include compliance with procedures under Local Rule IA 10-5.

4 DATED this 1st day of September, 2023.

5 
6 ELAYNA J. YOUCHAH
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28